
Appeal Decision

Site visit made on 3 August 2020

by Robin Buchanan BA (Hons), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 August 2020

Appeal Ref: APP/R3650/D/20/3252008

3 Badshot Lea Road, Badshot Lea, Farnham GU9 9JR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Andy Brooks against the decision of Waverley Borough Council.
 - The application Ref WA/2019/1988, dated 11 November 2019, was refused by notice dated 26 February 2020.
 - The development proposed is the erection of a close board fence.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a close board fence at 3 Badshot Lea Road, Badshot Lea, Farnham GU9 9JR in accordance with the terms of the application, Ref WA/2019/1988, dated 11 November 2019, and the plans submitted with it.

Preliminary Matters

2. The appellant's description of the proposed development in the application form includes wording that relates to the merits of the case. I have omitted this wording in the interests of clarity and to limit the description to the proposed act of development.
3. At my site visit, I saw that the proposed close board fence (the fence) has already been erected in accordance with the terms of the application. Consequently, the hedgerow that was along this part of the front garden boundary has been removed.
4. In its reason for refusal, the Council states that the proposed development is contrary to Saved Policy RD2 of the Waverley Borough Local Plan, 2002 (this Policy relates to 'extension of dwellings'), Policy RE2 of the Waverley Borough Local Plan Part 1: Strategic Policies and Sites, 2018 (this Policy relates to the Green Belt) and to its Residential Extensions Supplementary Planning Document, October 2010 (SPD). However, the proposal is not for an extension of a dwelling and the appeal site is not in the Green Belt — the Council's Officer report does not claim otherwise — and the SPD does not refer to fences. The proposal is clearly distinguishable from these objectives of these Policies and the SPD. I have determined the appeal on this basis.

Main Issue

5. The main issue is the effect of the fence on the character and appearance of the area.

Reasons

6. Number 3 Badshot Lea Road is a detached dwelling and garden. It is at one end of a long row of similar detached and semi-detached houses facing the road. Opposite, stretching along the other side of the road, is a substantial garden centre complex, including a number of large buildings and an extensive hard surfaced car park.
7. Whilst No 3 is outside the defined settlement boundary for Badshot Lea village, in the countryside for planning purposes, it is at the top of a slope on the approach towards the village and there is a belt of trees, hedges and shrubs either side of the road at this point. There is therefore a distinct transition between a mainly open pocket of countryside on one side and the more contained, built-up form of development on the other, which continues into the main urban area of the village. Albeit on the edge, No 3 is therefore visually and functionally part of the village.
8. Part of the fence is splayed back from the road and so is less apparent in most public views. The part alongside the road is though reasonably tall and long. However, the high quality vertical featherboard has been in situ for about a year and I saw that the intensity of the colour of most of the fence has already appreciably weathered during this time. Moreover, taller trees and shrubs in the front garden overhang and partially obscure parts of the fence. This planting is the most noticeable feature in this part of the road. While not as tall or as long as the fence, I also saw that some houses along the road have close board side fences in front gardens and these are clearly visible in public views when leaving the village towards No 3.
9. Considering the above, the fence is readily assimilated in its village context — it is not unduly conspicuous and does not dominate in public views. Consequently, the height, scale and design of the fence is not incongruous, visually stark or unduly prominent in the street scene and it does not have an adverse effect on the rural landscape or the countryside.
10. Accordingly, the fence does not harm the character or appearance of the area. It accords with Saved Policies D1 and D4 of the Waverley Borough Local Plan, 2002 and with Policy TD1 of the Waverley Borough Local Plan Part 1: Strategic Policies and Sites, 2018. These include that development should be appropriate to the site and its surroundings in terms of its design, scale, height, form and protect the appearance of the street scene. It would also respect the National Planning Policy Framework paragraphs 8(c), 124, 127(a), (c) and (d), 130 and 170(b). These include that development should be sympathetic to local character, including the surrounding built environment, and recognise the intrinsic character and beauty of the countryside.

Other Matters

11. I recognise that appropriate maintenance of a hedgerow in the position of the fence might also ensure safe and suitable pedestrian use of the narrow pavement along the frontage of No 3 and might ensure satisfactory visibility splays at the vehicular access. Furthermore, I acknowledge that a hedgerow may be preferred visually to the fence by some observers. However, I have determined this appeal on its planning merits based on what is proposed.

Conditions

12. The Council has not suggested any conditions in the event that the appeal is allowed and planning permission is granted. Given that the development has already been carried out in accordance with the terms of the application, and that I have not found any harm in the main issue above, it is therefore not necessary or reasonable to impose any conditions.

Conclusion

13. For the reasons given, the appeal is successful.

Robin Buchanan

INSPECTOR